



IN THE U.S. PATENT AND TRADEMARK OFFICE

May 11, 2007

Applicant(s): Charles L. NELSON, et al.

For: SURGICAL SUCTION IRRIGATOR

Serial No.: 10/648 693

Group: 3763

Confirmation No.: 3774

Filed: August 26, 2003

Examiner: Koharski

International Application No.: -

International Filing Date: -

Atty. Docket No.: 3002.F139DUS

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## REQUEST FOR RECORDING OF TERMINAL DISCLAIMER

Sir:

Enclosed is a Terminal Disclaimer for recording against this application. A check for \$130.00 is enclosed to cover the cost of recording the Terminal Disclaimer.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

IN DUPLICATE

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BRT/ad

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Encl: Terminal Disclaimer  
 Check



PATENT APPLICATION

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TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION

Sir:

Stryker Corporation, having a place of business at Kalamazoo, Michigan 49002 is the owner of 100 percent interest in the instant application by virtue of an assignment recorded at Reel 8220 Frame 0896. Stryker Corporation hereby certifies that the above-identified assignment document has been reviewed, and that to the best of the assignee's knowledge and belief, the assignee possesses the entire right, title and interest with respect to the above-mentioned patent application.

Stryker Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 of prior U.S. Patent No. 6 623 445 issued on September 23, 2003 and prior U.S. Patent No. 6 213 970 issued April 10, 2001, which

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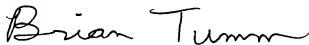
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double patenting rejection. Stryker Corporation hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Stryker Corporation does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patents, in the event that either or both of the prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned is an attorney of record.



Brian R. Tumm

Date: May 11, 2007

[X] Terminal disclaimer fee under 37 CFR 1.20(d) is included.